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MEMORANDUM

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AZ CORP COMMISSION
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TO: Docket Control

FROM: Ernest G. Johnson
Director
Utilities Division

GA for EGT

DATE: October 25, 2007

RE: IN THE MATTER OF THE APPLICATION OF CHARTER FIBERLINK AZ-CCVII, LLC. FOR APPROVAL TO CANCEL THEIR CERTIFICATE OF CONVENIENCE AND NECESSITY (DOCKET NO. T-04260A-07-0141)

Attached is the Staff Report of the above Application to cancel the Certificate of Convenience and Necessity ("CC&N") held by Charter Fiberlink AZ-CCVII, LLC. Staff recommends approval of Charter Fiberlink AZ-CCVII, LLC's request to cancel its CC&N.

EJG:WMS:lmh\KT

Originator: Wilfred Shand, Jr.

Arizona Corporation Commission
DOCKETED

OCT 25 2007

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SERVICE LIST FOR: CHARTER FIBERLINK AZ-CCVII, LLC
DOCKET NO. T-04260A-07-0141

Mr. Kennard B. Woods
Friend, Hudak & Harris, LLP
Three Ravinia Drive, Suite 1450
Atlanta, Georgia 30346-2117

Mr. Christopher C. Kempley
Chief Legal Counsel, Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Mr. Ernest G. Johnson
Director, Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Ms. Lyn Farmer
Chief Administrative Law Judge, Hearing Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

STAFF REPORT
UTILITIES DIVISION
ARIZONA CORPORATION COMMISSION

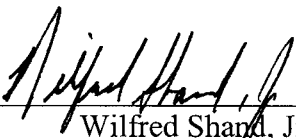
CHARTER FIBERLINK AZ-CCVII, LLC
DOCKET NO. T-04260A-07-0141

IN THE MATTER OF THE APPLICATION OF
CHARTER FIBERLINK AZ-CCVII, LLC
FOR APPROVAL TO CANCEL THEIR
CERTIFICATE OF CONVENIENCE AND NECESSITY

OCTOBER 2007

STAFF ACKNOWLEDGMENT

The Staff Report for Charter Fiberlink AZ-CCVII, LLC, Docket No. T-04260A-07-0141, was the responsibility of the Staff member listed below. Wilfred Shand, Jr. was responsible for the review and analysis of Charter Fiberlink AZ-CCVII, LLC's Application to cancel its Certificate of Convenience and Necessity.

A handwritten signature in black ink, appearing to read "Wilfred Shand, Jr.", is written over a horizontal line.

Wilfred Shand, Jr.
Public Utilities Analyst Manager

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Background

On May 20, 2004, Charter Fiberlink AZ-CCVII, LLC ("CF" or "Applicant") filed an application for a Certificate of Convenience and Necessity ("CC&N") to provide resold long distance, facilities-based long distance, resold local exchange, facilities-based local exchange, alternative operator services, and private line telecommunications services within the State of Arizona.

The Commission approved CF's application for a CC&N in Decision No. 68493, dated February 23, 2006, conditioned upon CF's timely compliance with two requirements. CF was to file with docket control, as a compliance item in this case, within 365 days of this Decision or 30 days prior to the commencement of service, whichever comes first, conforming tariffs for each service authorized and proof that it has procured a performance bond equal to \$225,000.

On February 20, 2007, CF filed an application for an extension of time to file its tariffs and the required performance bond (Docket No T-04260A-04-0383). On March 7, 2007, CF filed, in a single letter, a request withdraw its application for an extension of time to file its tariffs and performance bond (Docket No T-04260A-04-0383) and requested that the Commission immediately cancel its CC&N (Docket No. T-04260A-07-0141).

Staff's Analysis

CF has indicated that it has not begun to provide service to customers in Arizona. Therefore, no customers will be affected by the cancellation of CF's CC&N. CF has no outstanding complaint issues filed with the Commission.

Recommendations

Staff recommends approval of CF's request to withdraw its application for an extension of time to file its tariffs and performance bond (Docket No T-04260A-04-0383). Staff further recommends approval of CF's application for cancellation of its CC&N to provide resold long distance, facilities-based long distance, resold local exchange, facilities-based local exchange, alternative operator services, and private line telecommunications services within the State of Arizona (Docket No. T-04260A-07-0141). Upon cancellation of its CC&N, Charter Fiberlink AZ-CCVII, LLC will no longer be authorized to provide telecommunications services in Arizona and therefore, will no longer be subject to the requirements of Decision No. 68493.